

B. C. asks the Utah Labor Commission to review Administrative Law Judge La Jeunesse's denial of Mr. C.'s claim for benefits under the Utah Workers' Compensation Act (Title 34A, Chapter 2, Utah Code Ann.) or, alternatively, the Utah Occupational Disease Act (Title 34A, Chapter 3, Utah Code Ann.).

The Labor Commission exercises jurisdiction over this motion for review pursuant to Utah Code Ann. §63-46b-12 and Utah Code Ann. §34A-2-801(3).

BACKGROUND AND ISSUE PRESENTED

Mr. C. filed his application for hearing with the Commission on October 25, 2002, to compel Chromolox and its workers compensation insurance carrier, Atlantic Mutual Insurance Co. (referred to jointly as "Chromolox" hereafter), to pay workers' compensation benefits or occupational disease benefits for medical problems involving Mr. C.'s right wrist.

Judge La Jeunesse held a hearing on Mr. C.'s claim on July 12, 2004. On December 30, 2004, Judge La Jeunesse issued his decision denying the claim for lack of evidence of a medical causal connection between Mr. C.'s work and his wrist problems. Mr. C. now asks the Commission to review Judge La Jeunesse's decision. Specifically, Mr. C. contends he has submitted sufficient evidence to establish the requisite medical causal connection.

FINDINGS OF FACT

The Commission affirms and adopts Judge La Jeunesse's findings of fact. In particular, the Commission has carefully considered the evidence regarding the cause and nature of Mr. C.'s wrist problems. The Commission finds, as did Judge La Jeunesse, that the evidence fails to establish a medical causal connection between Mr. C.'s work and his wrist injury.

DISCUSSION AND CONCLUSION OF LAW

The Utah Workers' Compensation Act provides benefits to workers injured by accident arising out of and in the course of their employment. Similarly, the Utah Occupational Disease Act provides benefits to workers who become disabled from an occupational disease. Under either of these Acts, it is the worker's burden to establish a medical causal connection between his or her work and the medical problem for which benefits are sought.

As noted above, the Commission has carefully considered the available evidence regarding the medical cause of Mr. C.'s wrist condition but finds no persuasive evidence of a causal connection between his work and his wrist condition. The Commission therefore concludes that Mr. C. has failed to meet the requirements for compensation under either the Workers' Compensation Act or the Occupational Disease Act.

ORDER

The Commission affirms Judge La Jeunesse's decision and denies Mr. C.'s motion for review. It is so ordered.

Dated this 22nd day of July, 2005.

R. Lee Ellertson, Commissioner